



**Department of Law**  
*Monroe County, New York*

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*County Executive*

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*County Attorney*

August 24, 2022

*By ECF*

Hon. Frank P. Geraci, Jr.  
United States District Judge  
U.S. Courthouse, 100 State Street  
Rochester, NY 14614

Re: *Boehner, et al. v. City of Rochester, et al.*, Case No. 21-cv-6574  
*Armstrong v. City of Rochester, et al.*, Case No. 21-cv-6717  
*A. Flannery v. City of Rochester, et al.*, Case No. 22-cv-6101  
*K. Flannery v. City of Rochester, et al.*, Case No. 22-6062  
*Grayson v. City of Rochester, et al.*, Case No. 21-cv-6719  
*Hilderbrant v. City of Rochester, et al.*, Case No. 21-cv-6714  
*Lynch v. City of Rochester, et al.*, Case No. 21-cv-6708  
*Maring v. City of Rochester, et al.*, Case No. 21-cv-6720  
*Sorokti v. City of Rochester, et al.*, Case No. 21-cv-6709

Dear Judge Geraci:

My office represents the Monroe County defendants in the above “protest cases.” Upon information and belief, at the August 4, 2022 Court conference held in the protest cases, after it was discussed in chambers that the parties would move forward with mediation, Your Honor stated to counsel that the cases were stayed and invited defense counsel to seek extensions of time to answer the various complaints. Accordingly, the Monroe County defendants hereby respectfully request an extension of the current answer deadlines in the above protest cases to thirty (30) days after the stay is lifted. (The above cases are those protest cases in which the Court has issued a decision on a pending motion to dismiss.)

I asked Plaintiffs’ counsel on these set of cases, Elliot Shields, Esq., for his consent to this extension. He would not consent. Although I assured Mr. Shields that the County Defendants would share information that would aid in mediation, Mr. Shields advised that he needs specific admissions and denials before he presents a mediation plan to the Court on September 23.

The County Defendants plan to file an answer in *Hall, et al. v. Warren, et al.*, Case No. 21-cv-6296 by August 30. The complaint in *Hall* is, by far, the longest complaint of all the protest cases, and its allegations are wide reaching in scope; the complaints in the above protest cases are largely derivative of *Hall*. Thus, the County Defendants’ admissions and denials in *Hall* can guide Mr. Shields’s mediation plan.

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To the extent Mr. Shields needs more than this, he can ask for it in the course of mediation. As Your Honor may recall from the August 4 Court conference in chambers, one of the attorneys in my office, Maria Rodi, Esq., Senior Deputy County Attorney, suggested that the parties engage in limited discovery/sharing of information to facilitate mediation. The County Defendants are prepared to provide reasonable discovery and to answer reasonable inquiries.

Therefore, it is respectfully requested that this Court grant the County Defendants' request for an extension of the current answer deadlines in the above protest cases to thirty (30) days after the stay is lifted.

Respectfully submitted,

/s/ *Alissa M. Brennan*

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cc: All counsel of record, *by ECF*